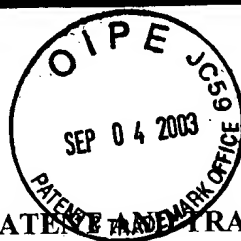


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Date of Deposit: September 4, 2003



Attorney Docket No. 21578-013

SEP 11 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Nathan H. Sloane

SERIAL NUMBER: 08/986,606

EXAMINER: David Lukton

FILING DATE: December 8, 1997

ART UNIT: 1653

FOR: THE USE OF THE ACTIVATED N-TERMINAL SIXTEEN AMINO ACID PEPTIDE OF THE
ANTINEOPLASTIC PROTEIN (ANUP) AS A PHARMACOLOGICALLY ACTIVE ANTI-
TUMOR AGENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COPY

TRANSMITTAL LETTER

Sir:

Transmitted herewith for filing in the present application are the following documents:

- ☒ Response and Amendment (10 pgs.);
- ☒ Declaration of Paul A. DiTullio Under 37 C.F.R. §1.132 (5 pgs.);
- ☒ Petition for Extension of Time (1 pg., in duplicate);
- ☒ Check # 17035 in the amount of \$465.00;
- ☒ Statement in Support of Substitute Specification (2 pgs.);
- ☒ Marked Copy of Substitute Specification (7 pgs);
- ☒ Clean Copy of Substitute Specification (5 pgs);
- ☒ Sequence Listing (paper copy) (1 pg.);
- ☒ Computer Readable Form of Sequence Listing (1 disk);
- ☒ Statement in Support of Computer Readable Form (1 pg.); and
- ☒ Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at (617) 542-6000, Boston, Massachusetts. The Commissioner is authorized to credit any overpayment or charge any deficiencies to Deposit Account No. 50-0311, Reference No. 21578-013. A duplicate copy of this Transmittal Letter is enclosed.

Respectfully submitted,

Ingrid A. Beattie, Reg. No. 42,306

Jennifer A. Karnakis, Reg. No. 53,097

Attorney for Applicants

c/o MINTZ LEVIN COHN FERRIS GLOVSKY
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Customer Number 30623

Express Mail Label No.: EV328183531US

Date of Deposit: September 4, 2003

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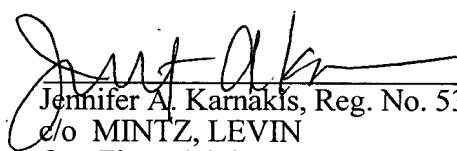
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

September 4, 2003
Boston, Massachusetts

STATEMENT IN SUPPORT OF COMPUTER READABLE
FORM SUBMISSION UNDER 37 C.F.R. § 1.821(f)

I hereby state that the content of the paper and computer readable forms of the Sequence Listing, submitted in the above-identified application in accordance with 37 C.F.R. § 1.821(c) and 1.821(e), respectively, are the same. No new matter is added at this time.

Respectfully submitted,


Jennifer A. Karnakis, Reg. No. 53,097
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Customer No. 30623

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Commissioner for Patents
P.O. Box 1450
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September 4, 2003
Boston, Massachusetts

STATEMENT IN SUPPORT OF SUBSTITUTE SPECIFICATION

Pursuant to 37 CFR 1.125(b)(1), I hereby state that the content of the substitute specification and the specification filed on December 8, 1997 are the same. Applicant hereby submits this substitute specification under the provisions of 37 CFR 1.125 (b) and (c) in response to the non-final Office Action mailed on April 4, 2003 in the above-identified application. In the April 4, 2003 Office Action, the Examiner reminded Applicant of the preferred arrangement of the specification. In the substitute specification submitted herewith, Applicant has amended the specification in accordance with the preferred arrangement of the specification. In particular, Applicant has re-arranged certain sections of the as-filed specification, but Applicant has not added any additional information. For example, Applicant has deleted the section entitled "ABSTRACT" on page 2 of the as-filed specification and added a portion of this section as the amended Abstract, which has been presented on a separate sheet of paper from any other part of the specification. The amended Abstract, presented on page 6 of the substitute specification, corresponds to the information presented on page 2, lines 2-4 of the as-filed specification. Applicant has also amended the specification to remove the bibliographic information originally presented on page 1 of the as-filed specification. In addition, Applicant has also added a brief

APPLICANTS:
U.S.S.N.:

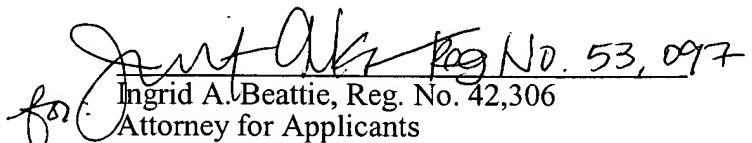
Nathan H. Sloane
08/986,606

section entitled "BACKGROUND OF THE INVENTION", which corresponds to the information originally presented at page 3, lines 14-17 and at page 2, lines 7-9 of the as-filed specification. Under the section "DETAILED DESCRIPTION OF THE INVENTION", Applicant has added a paragraph at page 2, line 23 through page 3, line 3 of the substitute specification, which is identical to the information presented on page 2, line 37 through page 3, line 5 of the as-filed specification. Applicant has also added a paragraph at page 2, lines 18-28 of the substitute specification, which corresponds to information originally presented on page 2, lines 2-14 of the as-filed specification. Finally, Applicant has amended the specification, *e.g.*, at pages 4-5 of the as-filed specification to correct typographical errors. All references to "ug" and "ul" as units of measurement on pages 4-5 of the as-filed specification have been replaced with the appropriate scientific abbreviations, "μg" and "μl". In addition, the term "gestamycin" at page 4, line 8 has been amended to correct the spelling of "gentamycin." Accordingly, this submission includes no new matter.

Pursuant to 37 C.F.R. 1.125(b)(2) and 1.125(c), Applicant submits herewith a clean version of the substitute specification, including all amendments to the specification, and a marked-up version indicating all amendments to the specification.

Applicants believe that no additional fees are required for the filing of the present submission. However, the Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment, to Deposit Account No. 50-0311, Ref. No. 21578-013RCE.

Respectfully submitted,


for Ingrid A. Beattie, Reg. No. 42,306
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